



August 22, 2008

**VIA ECF**

The Honorable Theodore H. Katz  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

***Re: Matos v. 738 Restaurant Corp. et al, 08-CV-979 (AKH)(THK)***

Dear Judge Katz,

I represent the plaintiffs in the above-titled FLSA case. I am writing regarding the settlement conference scheduled for today at 10:00 a.m., for which the defendants sought an adjournment yesterday evening. Counsel for defendants, Nils Shillito, notified me this morning that the settlement conference has been rescheduled for September 11, 2008, and I have just received Your Honor's Order via ECF confirming this. Unfortunately, one of my clients, Wilfredo Matos, will be having eye surgery on September 11 and will be unavailable on that date. I would like to respectfully request an adjournment to September 16 at 2:00 p.m., a date and time a law clerk suggested when I telephoned Chambers this morning. Mr. Shillito has advised me that he is attempting to reach his clients to confirm their availability on this date.

Thank you very much for your attention to this matter.

Warm Regards,

\s\

Elizabeth Wagoner

CC:  
Nils C. Shillito  
Stephen D. Hans & Associates, P.C.  
[nshillito@hansassociates.com](mailto:nshillito@hansassociates.com)  
718.275.6700 x 205